

1 Daniel G. Bogden
2 United States Attorney
3 District of Nevada
4 Mark E. Woolf
5 Assistant United States Attorney
6 United States Attorney's Office
7 333 Las Vegas Blvd., South, Suite 5000
8 Las Vegas, Nevada 89101
9 Tel: 702-388-6336
10 Fax: 702-388-6787

11 **UNITED STATES DISTRICT COURT**

12 **DISTRICT OF NEVADA**

13 UNITED STATES OF AMERICA,)
14 Plaintiff,) Case No. 2:10-CR-306-PMP-GWF
15 v.)
16 ANTHONY RUFO,) **MOTION FOR SUPPLEMENTARY
17 Defendant.) PROCEEDINGS (EXAMINATION OF
18 JUDGEMENT DEBTOR)**

19 The United States of America, by and through Daniel G. Bogden, United States Attorney, and
20 Mark E. Woolf, Assistant United States Attorney, moves this Honorable Court for an order requiring
21 defendant, Anthony Rufo, to appear before a United States Magistrate Judge at a time and place to be set
22 by the court for examination supplementary to judgment pursuant to Rule 69 of Fed. R. Civ. P., 28
23 U.S.C. § 3105, and N.R.S. 21.270. This motion is based upon the following points and authorities, the
24 attached Declaration from Mary Booker and the pleadings and papers on file herein.

25 The Federal Debt Collection Procedure Act is "the exclusive civil procedures for the United
26 States ... to recover a judgment on a debt." 28 U.S.C. § 3001(a) (1). A debt is an amount owed "to the
United States on account of ... [an] other source of indebtedness to the United States" 28 U.S.C. §
3002(3) (B). A judgment is "a judgment ... entered in favor of the United States in a court and arising

1 from a ... criminal proceeding" 28 U.S.C. § 3002(8). A criminal money judgment against a defendant
2 is a judgment entered as a debt in favor of the Government. *See* 28 U.S.C. §§ 3001(a) (1), 3002(3) (B)
3 and (8), 3201, and 3202(a). The creation, duration, and renewal of judgment liens are part of Subchapter
4 C. *See* 28 U.S.C. §§ 3201 and 3202(a). Since judgments include criminal money judgments, the
5 judgment lien is good for 20 years and can be renewed for another 20 years. *See* 28 U.S.C. §§ 3002(8),
6 3201, and 3202(a).

7 DATED: December 23, 2015.

8 DANIEL G. BOGDEN
9 United States Attorney

10 */s/Mark E. Woolf*
11 MARK E. WOOLF
12 Assistant United States Attorney

13
14
15
16
17
18
19
20
21
22
23
24
25
26

DECLARATION

**FOR MOTION FOR SUPPLEMENTARY PROCEEDINGS
(EXAMINATION OF JUDGMENT DEBTOR)**

STATE OF NEVADA)
COUNTY OF CLARK)

Mary Booker, declares pursuant to 28 U.S.C. §1746 under penalty of perjury that the foregoing is true and correct.

1. I am a Legal Assistant in the Financial Litigation Unit for the United States Attorney's Office, District of Nevada. I have custody of the records in this office pertaining to this collection matter.
2. Judgment was entered, for the plaintiff and against defendant on, June 29, 2011, for the sum of \$819,350.00, together with interest thereon from the date of judgment and court costs.
3. Anthony Rufo resides within the jurisdiction of this Court.
4. The judgment has not been satisfied, vacated, reversed, or barred by the Statute of Limitations, and is one on which execution may properly issue.
5. The judgment remains unpaid.

/s/ Mary Booker
Mary Booker
Legal Assistant
Financial Litigation Unit

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3

4 UNITED STATES OF AMERICA,)
5 Plaintiff,) Case No. 2:10-CR-306-PMP-GWF
6 v.)
7 ANTHONY RUFO,)
8 Defendants.)

9

10 **ORDER FOR SUPPLEMENTARY PROCEEDINGS OF JUDGMENT
11 DEBTOR EXAMINATION**

12 On plaintiff's motion and good cause appearing, the defendant, Anthony Rufo, is hereby
13 Ordered to appear before the United States Magistrate in courtroom 3A, Lloyd D. George Federal
14 Courthouse, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, on the 11th
15 day of February, 2016 at 9:00 a.m., to then and there answer upon oath concerning the
16 property of the defendant and for such other proceedings as there may occur consistent with proceedings
17 supplementary to execution.

18 It is further ordered that you, the defendant, bring to the hearing the following:

19 1. Your three most recent federal income tax returns with their attachments.

20 2. Copies of all personal and business financial statements concerning checking and
21 savings accounts for the past twelve months.

22 3. A copy of the titles to all you and your spouses' vehicles, automobiles, boats,
aircraft, etc

23 4. Copies of your earnings statements (i.e. paychecks) for the past twelve months.

24 5. Copies of your bills for the past twelve months to verify statements on the
financial form.

1 It is further ordered that a copy of this order shall be served upon the defendant by the
2 United States Marshall or private process service at least 14 calendar days before the
3 hearing scheduled herein.

4 Failure to appear may subject you, the defendant, to punishment for contempt of court.
5

6 DATED this 24th day of December, 2015.

7
8
9 
10 United States Magistrate Judge
11
12 SUBMITTED BY:
13 DANIEL G. BOGDEN
14 United States Attorney
15 /s/Mark E. Woolf
16 MARK E. WOOLF
17 Assistant United States Attorney
18
19
20
21
22
23
24
25
26